

RESOLUTION R-5460

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY OF KIRKLAND THE SECOND AMENDED AND RESTATED EASTSIDE PUBLIC SAFETY COMMUNICATIONS AGENCY INTERLOCAL AGREEMENT.

1 WHEREAS, King County currently has a countywide
2 emergency public safety radio network, the King County
3 Emergency Radio Communication System ("KCERCS"), which
4 supports over seventeen thousand radios and nearly two hundred
5 separate police, fire, emergency medical and other governmental
6 agencies; and

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8 WHEREAS, portions of KCERCS are separately owned by
9 the Eastside Public Safety Communications Agency ("EPSCA"),
10 Valley Communications Center ("ValleyCom"), the City of Seattle,
11 and King County, with a jointly owned switch controlling the entire
12 network; and

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14 WHEREAS, EPSCA was initially created in 1992 by interlocal
15 agreement and consists of the cities of Bellevue, Issaquah,
16 Kirkland, Mercer Island and Redmond; and

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18 WHEREAS, the KCERCS is over twenty years old and is
19 increasingly unsupported by the supplier of the system's
20 equipment, software and related parts; and

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22 WHEREAS, the cities of Bellevue, Issaquah, Kirkland,
23 Mercer Island and Redmond ("ESPCA Cities), and the cities of
24 Auburn, Federal Way, Renton, Seattle and Tukwila ("ValleyCom
25 Cities") as well as King County determined that it is in the public
26 interest that a new public safety radio system, referred to as the
27 Puget Sound Emergency Radio System ("PSERN"), be
28 implemented to provide public safety agencies and other user
29 groups in the region with improved coverage and capacity as well
30 as uniformly high-quality radio communications; and

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32 WHEREAS, in 2015 the PSERN parties entered into the
33 Puget Sound Emergency Radio Implementation Period Interlocal
34 Cooperation Agreement ("PSERN Implementation Period ILA")
35 that designated King County as the lead agency for planning,

36 procurement, financing, implementation and limited initial
37 operations of PSERN; and

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39 WHEREAS, the PSERN Implementation Period ILA
40 established a Joint Board to oversee the PSERN Project
41 implementation; and

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43 WHEREAS, the PSERN parties each conveyed their 800 MHz
44 frequencies to the PSERN Project, thereby becoming elements of
45 the new PSERN system; and

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47 WHEREAS, the parties to the PSERN Implementation Period
48 ILA negotiated a separate agreement, the Puget Sound
49 Emergency Radio Network Operator Interlocal Cooperation
50 Agreement ("PSERN Operator ILA"), to create a new separate
51 governmental agency under RCW 39.34.030(3)(b) that is
52 organized as a non-profit corporation under Chapter 24.06 RCW
53 to assume the ownership and control of PSERN following full
54 system acceptance; and

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56 WHEREAS, in addition to creating the new agency to be
57 called the PSERN Operator, the PSERN Operator ILA establishes
58 the terms for governance of the PSERN Operator and the terms
59 under which the PSERN Operator will undertake responsibility for
60 the ownership, operations, maintenance, management and on-
61 going upgrading/ replacing of the PSERN system throughout its
62 useful life; and

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64 WHEREAS, the PSERN Operator ILA was approved by the
65 City Council and executed by the City Manager on August 3, 2020;
66 and

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68 WHEREAS, the PSERN Operator ILA now has been
69 unanimously approved by all the legislative bodies of the PSERN
70 member cities and King County and duly executed by those cities
71 and King County as of December 4, 2020; and

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73 WHEREAS, ESPCA Cities will continue to be represented on
74 the PSERN Agency Board ("PSERN Board") by one mayor or city
75 manager or designee authorized by their joint action; and

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77 WHEREAS, it is necessary to identify a process by which
78 the ESPCA Cities will select their PSERN Board representative, and
79 the EPSCA Board has approved such a process and submitted it in
80 the form of an amendment to EPSCA's current interlocal
81 agreement ("First Amended and Restated Eastside Public Safety
82 Communications Agency Interlocal Agreement"), which process is
83 incorporated into a revised EPSCA interlocal cooperation

84 agreement between the EPSCA Cities ("Second Amended and
85 Restated Agreement"); and
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87 WHEREAS, upon approval and execution of the Second
88 Amended and Restated Agreement, the First Amended and
89 Restated Agreement between the EPSCA Cities will be replaced
90 and no longer be of any legal force or effect; and
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92 WHEREAS, the PSERN project team has requested that
93 EPSCA identify its PSERN Board representative in connection with
94 the PSERN Operator ILA to the PSERN project team by February
95 16, 2021.
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97 NOW, THEREFORE, be it resolved by the City Council of the
98 City of Kirkland as follows:
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100 Section 1. The City Manager is hereby authorized and
101 directed to sign all documents necessary to enact the Second
102 Amended and Restated Eastside Public Safety Communications
103 Agency Interlocal Agreement in substantially the same form as
104 Attachment A together with the cities of Bellevue, Issaquah,
105 Mercer Island and Redmond and to take all actions necessary to
106 implement the terms of the second amended and restated
107 interlocal agreement.
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109 Passed by majority vote of the Kirkland City Council in open
110 meeting this 19 day of January, 2021.
111

112 Signed in authentication thereof this 19 day of January,
113 2021.



Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk